

**SEVENTY-FIFTH LEGISLATIVE DAY
FRIDAY, MARCH 24, 2006**

WOOD, Secretary

House of Representatives

The House convened at 9 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Pastor Andrew Stinson.

The Pledge of Allegiance was led by Brock Larsen, Page.

Approval of Journal

March 24, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-fourth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

OFFICE OF THE GOVERNOR
Boise

March 23, 2006

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 664, H 614, and H 607

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

March 23, 2006

Mr. Speaker:

I transmit herewith **S 1457** which has passed the Senate.

WOOD, Secretary

S 1457 was filed for first reading.

March 23, 2006

Mr. Speaker:

I return herewith **H 801, H 802, H 803, H 804, H 805, H 743, H 808, H 809, H 810, H 811, H 812, H 813, H 650**, as amended, and **H 776** which have passed the Senate.

H 801, H 802, H 803, H 804, H 805, H 743, H 808, H 809, H 810, H 811, H 812, H 813, H 650, as amended, and **H 776** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 23, 2006

Mr. Speaker:

I return herewith **H 421**, as amended in the Senate, and **H 422**, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 421, as amended in the Senate, and **H 422**, as amended in the Senate, were ordered held at the Desk.

Report of Standing Committees

March 24, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 844, H 845, H 846, H 847**, and **H 848**.

FIELD(18), Chairman

H 844, H 845, H 846, H 847, and **H 848** were filed for second reading.

March 24, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 59, HJM 21, H 712, H 545, H 686, H 687, H 729, H 582, H 680, H 793, H 794, H 797, H 798, H 799**, and **H 594**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **HCR 59, HJM 21, H 712, H 545, H 686, H 687, H 729, H 582, H 680, H 793, H 794, H 797, H 798, H 799**, and **H 594**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 24, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 637, H 544, H 472**, as amended, **H 634**, as amended, **H 788, H 652, H 653, H 722, H 514, H 515, H 599, H 734, H 696, H 724, H 688, H 706**, and **H 443**, as amended in the Senate, to the Governor at 11:25 a.m., as of this date, March 23, 2006.

FIELD(18), Chairman

March 24, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 38, HCR 58, HCR 54**, and **HCR 55** to the Secretary of State at 11:18 a.m., as of this date, March 23, 2006.

FIELD(18), Chairman

March 23, 2006

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **HCR 65** and recommend that it do pass.

SCHAEFER, Chairman

HCR 65 was filed for second reading.

March 23, 2006

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **S 1386**, as amended, and recommend that it do pass.

STEVENSON, Chairman

S 1386, as amended, was filed for second reading.

March 23, 2006

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **S 1423**, as amended, and recommend that it do pass.

BLACK, Chairman

S 1423, as amended, was filed for second reading.

March 24, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **HCR 66** and recommend that it do pass.

BARRACLOUGH, Chairman

HCR 66 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 849 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR MEDICAL ASSISTANCE SERVICES FOR FISCAL YEAR 2007; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES OF MONEY; AUTHORIZING THE EXPENDITURE OF ALL RECEIPTS COLLECTED; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING DIRECTION TO CONDUCT A MARKET ANALYSIS; DIRECTING THE DEPARTMENT OF HEALTH AND WELFARE TO STUDY PARENT-DIRECTED SERVICES FOR CHILDREN WITH DEVELOPMENTAL

DISABILITIES; DIRECTING THE ALLOCATION OF SALARY SAVINGS; AND PROVIDING LEGISLATIVE INTENT REGARDING THE FISCAL IMPACT ON RESPITE CARE SERVICES.

HOUSE BILL NO. 850 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO WORKER'S COMPENSATION; AMENDING SECTION 72-102, IDAHO CODE, TO REVISE THE DEFINITION OF "INJURY"; AND AMENDING SECTION 72-451, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO COMPENSATION FOR PSYCHOLOGICAL ACCIDENTS AND INJURIES.

HOUSE BILL NO. 851 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2007; APPROPRIATING ADDITIONAL MONEYS FOR FISCAL YEAR 2006; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO CERTAIN TRANSFERS BEING CONTINUOUSLY APPROPRIATED; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES FOR CONTRACT CONSTRUCTION AND RIGHT-OF-WAY ACQUISITION; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES FOR AIRPORT DEVELOPMENT GRANTS; AUTHORIZING THE TRANSFER OF HIGHWAY FUNDS TO THE TOURISM AND PROMOTION FUND; DIRECTING THE ALLOCATION OF SALARY SAVINGS; AND DECLARING AN EMERGENCY FOR SECTION 2 OF THIS ACT.

HOUSE BILL NO. 852 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING MONEYS TO THE LEGISLATIVE COUNCIL TO DEVELOP AN INTEGRATED STATE ENERGY PLAN; STATING CERTAIN CONDITIONS REGARDING THE EXPENDITURE OF FUNDS; AND DECLARING AN EMERGENCY.

H 849, H 850, H 851, and H 852 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1457, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HJM 25, H 841, and H 833, by Ways and Means Committee, were read the second time by title and filed for third

reading.

S 1415, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

HCR 64 and **H 695**, as amended in the Senate, by State Affairs Committee, were read the second time by title and filed for third reading.

SCR 128, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1340, as amended, by Health and Welfare Committee, was read the second time by title and filed for third reading.

H 676, as amended in the Senate, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 836** retain its place on the Third Reading Calendar. There being no objection, it was so ordered.

H 837 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Skippen to open debate.

The question being, "Shall **H 837** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Miller, Mitchell, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 60.

NAYS -- Barrett, Loertscher, Mathews, McKague, Moyle, Nielsen, Sali, Smith(24). Total -- 8.

Absent and excused -- McGeachin, Roberts. Total -- 2.
Total -- 70.

Whereupon the Speaker declared **H 837** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 838 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Skippen to open debate.

The question being, "Shall **H 838** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- Loertscher, McKague, Nielsen, Sali. Total -- 4.

Absent and excused -- McGeachin, Roberts. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 838** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 839 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 839** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Block, Crow, Roberts. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 839** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1454 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **S 1454** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian,

Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Crow. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1454** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1455 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1455** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- Loertscher. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1455** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 836 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **H 836** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake,

LeFavour, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 64.

NAYS -- Barrett, Loertscher, McKague, Sali, Wood. Total -- 5.

Absent and excused -- Clark. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 836** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 648, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bradford to open debate.

The question being, "Shall **H 648**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 68.

NAYS -- Wood. Total -- 1.

Absent and excused -- Clark. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 648**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

H 624, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Kemp to open debate.

The question being, "Shall **H 624**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal,

Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Rydallch, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 62.

NAYS -- Hart, Lake, McGeachin, McKague, Moyle, Roberts, Sali. Total -- 7.

Absent and excused -- Sayler. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 624**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Denney asked unanimous consent that **S 1388** retain its place on the Third Reading Calendar until Monday, March 27, 2006. There being no objection, it was so ordered.

S 1266, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood to open debate.

The question being, "Shall **S 1266**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydallch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Bradford, Trail. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1266**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1412, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Loertscher to open debate.

The question being, "Shall **S 1412**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydallch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bradford, Mitchell, Smith(24), Trail. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1412**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

SCR 125 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Garrett to open debate.

The question being, "Shall **SCR 125** be adopted?"

Whereupon the Speaker declared **SCR 125** adopted by voice vote and ordered the resolution returned to the Senate.

SCR 126 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Garrett to open debate.

The question being, "Shall **SCR 126** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydallch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bradford, Loertscher, Mitchell, Trail. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **SCR 126** adopted and ordered the resolution returned to the Senate.

S 1350, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

The question being, "Shall **S 1350**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Bradford, Trail. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1350**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

SCR 129 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Snodgrass to open debate.

The question being, "Shall **SCR 129** be adopted?"

Whereupon the Speaker declared **SCR 129** adopted by voice vote and ordered the resolution returned to the Senate.

S 1327 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall **S 1327** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley,

Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wood, Mr. Speaker. Total -- 65.

NAYS -- Barrett, Sali. Total -- 2.

Absent and excused -- Crow, Trail, Wills. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1327** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1414 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **S 1414** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Trail, Mr. Speaker. Total -- 58.

NAYS -- Barrett, Harwood, Shepherd(8), Wood. Total -- 4.

Absent and excused -- Bedke, Crow, Denney, Lake, Nonini, Smith(24), Stevenson, Wills. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **S 1414** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1428 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sali to open debate.

The question being, "Shall **S 1428** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 65.

NAYS -- Sayler. Total -- 1.

Absent and excused -- Jaquet, Lake, Smith(24), Wills.

Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1428** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1314, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **S 1314**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Henderson, Lake, Smith(24). Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1314**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1342 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Martinez to open debate.

The question being, "Shall **S 1342** pass?"

Roll call resulted as follows:

AYES -- Bilbao, Black, Block, Boe, Brackett, Cannon, Garrett, Henbest, Jaquet, Kemp, Lake, LeFavour, Martinez, Miller, Mitchell, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Sayler, Schaefer, Shepherd(2), Skippen, Smith(30), Smith(24), Smylie, Stevenson, Wills. Total -- 29.

NAYS -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bolz, Bradford, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henderson, Loertscher, Mathews, McGeachin, McKague, Moyle, Nielsen, Nonini, Raybould, Roberts, Rydalch, Sali, Shepherd(8), Shirley, Snodgrass, Wood, Mr. Speaker. Total -- 39.

Absent and excused -- Clark, Trail. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1342** failed to pass the House and ordered the bill returned to the Senate.

S 1356, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Boe to open debate.

The question being, "Shall **S 1356**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Black, Clark, Deal, Field(18), Ring, Trail, Wills. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1356**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

SJM 119 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sali to open debate.

The question being, "Shall **SJM 119** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henderson, Lake, Loertscher, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Raybould, Ring, Roberts, Rydalch, Sali, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Wood, Mr. Speaker. Total -- 53.

NAYS -- Henbest, Jaquet, Kemp, LeFavour, Martinez, Mitchell, Pasley-Stuart, Pence, Ringo, Rusche, Sayler. Total -- 11.

Absent and excused -- Boe, Clark, Field(18), Smith(30), Trail, Wills. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **SJM 119** adopted and ordered the memorial returned to the Senate.

S 1338 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Garrett to open debate.

The question being, "Shall **S 1338** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 64.

NAYS -- Barrett, Harwood, Wood. Total -- 3.

Absent and excused -- Deal, Smith(24), Trail. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1338** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1339 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Garrett to open debate.

The question being, "Shall **S 1339** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Deal, Smith(24), Trail. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **S 1339** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1343 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Shepherd(8) to open debate.

The question being, "Shall **S 1343** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Bradford, Deal, Field(23), Smith(24), Trail. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1343** passed the House. Title was approved and the bill was ordered returned to the Senate.

SCR 130 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Barraclough to open debate.

The question being, "Shall **SCR 130** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- Ellsworth, Moyle, Sali. Total -- 3.

Absent and excused -- Bayer, Deal, Field(23), Trail. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **SCR 130** adopted and ordered the resolution returned to the Senate.

Mr. Denney asked unanimous consent that **SJM 120** retain its place on the Third Reading Calendar until Monday, March 27, 2006. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 833** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 833** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bayer, Deal, Field(23), Trail. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 833** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Henbest to open debate.

The question being, "Shall **H 833** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 57.

NAYS -- Barrett, Bayer, Hart, Harwood, Loertscher, Mathews, McGeachin, McKague, Rydalch, Sali, Shepherd(8), Wood. Total -- 12.

Absent and excused -- Trail. Total -- 1.
Total -- 70.

Whereupon the Speaker declared **H 833** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 841** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 841** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bayer, Deal, Field(23), Trail. Total -- 4.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 841** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould to open debate.

The question being, "Shall **H 841** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Roberts, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 61.

NAYS -- Boe, Pasley-Stuart, Ringo, Rusche, Sali, Smith(30).

Total -- 6.

Absent and excused -- Barrett, Crow, Trail. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 841** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

**Consideration of Messages from the
Governor and the Senate**

March 24, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1296, S 1297, S 1321, S 1331, S 1332**, as amended, **S 1351, S 1352, S 1353, S 1374, S 1379, S 1397**, and **S 1403** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1296, S 1297, S 1321, S 1331, S 1332**, as amended, **S 1351, S 1352, S 1353, S 1374, S 1379, S 1397**, and **S 1403** and, when so signed, ordered them returned to the Senate.

March 24, 2006

Mr. Speaker:

I return herewith enrolled **H 640, H 602**, as amended, **H 762, H 709**, as amended, **H 719**, as amended, **H 738**, as amended, **H 752, H 562**, as amended, **H 513, H 412, H 541, H 638, H 684, H 596, H 492, H 466, H 671**, as amended in the Senate, and **H 497**, as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled **H 640, H 602**, as amended, **H 762, H 709**, as amended, **H 719**, as amended, **H 738**, as amended, **H 752, H 562**, as amended, **H 513, H 412, H 541, H 638, H 684, H 596, H 492, H 466, H 671**, as amended in the Senate, and **H 497**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 10 a.m., Monday, March 27, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:15 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk